

REMARKS

Claims 1-45 are pending in the present Application, and all claims currently stand rejected. Claims 1, 41, 42, and 43 are amended herein. Reconsideration of the Application in view of the foregoing amendments and the following remarks is respectfully requested.

Rejection under 35 U.S.C. §112, First Paragraph

On page 2 of the Office Action, the Examiner indicates that claims 1 and 41-43 are rejected for failing to comply with the written description requirement. In particular, the Examiner refers to the language regarding “said display widgets being selectively generated only in response to widget-selection input from a device user.” Applicants herein amend claim 43 and respectfully traverse with respect to claims 1, 41, and 42.

The Examiner states that “the specification is silent on the negative limitation of widgets being generated only in response to input from a device user.” Applicants’ “subwidgets” are clearly described as being generated through the utilization of appropriate corresponding “tabs” from a user interface. Applicants submit that functionality associated with the tabs is expressly described as being manually activated by a device user through the respective tabs. Any alternate forms of activation or selection are not disclosed. Therefore the Specification only teaches selection of the subwidgets by a device user.

Specific descriptions of these manual selections made only by a device user may be found, for example, in the Specification on page 3, lines 5-10, and lines

17-32, and on page 4, lines 1-19. In particular, the Specification explicitly describes, as a sole means of activating the subwidgets, a “device user” manually selecting a “content tab,” a “presence tab,” a “buddy tab,” a “MEET tab,” and an “info tab.” Any alternate forms of activation or selection of the subwidget functions are not disclosed or discussed.

Applicants therefore submits the Specification is limited to teaching selection of the subwidgets only by a device user. For at least the foregoing reasons, Applicants submit that their claimed limitations are adequately supported by the Specification. In view of the foregoing remarks and amendments, Applicants believe that the Examiner’s rejections are addressed, and respectfully request that the rejections under 35 U.S.C. §112, first paragraph, be withdrawn so that these claims may issue in a timely manner.

35 U.S.C. § 103

On page 3 of the Office Action, the Examiner rejects claims 1-4, 6-15, 17-24, 26-35, and 37-45 under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 7,124,123 to Roskind et al. (hereafter Roskind) in view of “Designing to Support Adversarial Collaboration,” by Cohen et al. (hereafter Cohen), and further in view of U.S. Patent Publication No. 2002/0130904 to Becker et al. (hereafter Becker). The Applicants respectfully traverse these rejections for at least the following reasons.

Applicants maintain that the Examiner has failed to make a *prima facie* case of obviousness under 35 U.S.C. § 103(a) which requires that certain basic

criteria must be met. In particular, Applicants submit that the cited prior art reference (or references when combined) should teach all the claim limitations recited by Applicants. The initial burden is therefore on the Examiner to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a). Applicants submit that this burden has not been adequately met because the cited prior art fails to teach all of Applicants' claimed limitations.

Regarding the Examiner's rejection of independent claims 1, 21, and 41-43, Applicants respond to the Examiner's §103 rejections as if applied to similarly-amended independent claims 1, 21, and 41-43. For example, amended claim 1 now recites "*said user interface application selectively generating display widgets that include a main widget, a connect widget, and an alert widget that are displayed on different discrete portions of said display in a non-overlapped manner as separate parts of said user interface, said main widget including sub-widgets that are selectively generated only in response to user widget-selection input from a device user of said electronic device," and "*said alert widget providing alert information for multiple different types of alert states, said user interface application dynamically displaying said alert widget upon a portion of said display for viewing corresponding alert messages relating to status changes or other events in any of said electronic device, one or more buddy devices, a network server device, and said electronic network*" (emphasis added), which are limitations that are not taught or suggested either by the cited references, or by the Examiner's citations thereto.*

Roskind teaches an “electronic assistant” software program that automatically responds to instant messages when a device user is offline or otherwise unavailable. In other words, Roskind is directed towards using software to automatically respond to instant messages without human intervention (see column 2, lines 15 through 29). In contrast, Applicants’ claimed invention is specifically directed towards an improved user interface that is expressly designed for user participation in various communication sessions with other buddy devices. Applicants therefore submit that Roskind teaches away from Applicants’ invention. A prior art reference which teaches away from the presently claimed invention is “strong evidence of nonobviousness.” In re Hedges, 783 F.2d 1038, 228 U.S.P.Q. 2d 685 (Fed. Cir. 1987).

The Examiner cites the background section of Roskind against Applicants’ limitations regarding “selectively generating” various “widgets” in response to user input from “a device user.” Applicants respectfully traverse. The background section of Roskind states only that “a user may manipulate the user interface to initiate instant messaging communications with the buddy” (emphasis added). Applicants submit that a simple interface to “initiate” communications does not read on Applicants’ “main widget,” “connect widget,” and “alert widget” that perform a significantly greater number of user interface functions.

Furthermore, the teachings of the background section of Roskind conflict directly with the primary teachings of Roskind. In particular, Roskind is specifically directed to environments in which the device user is “away” or not present. Therefore, any attempt to combine the background teachings of Roskind

(where the device user is required to be present) with the primary teachings of Roskind (where the device user is required to be absent) would defeat the entire purpose of Roskind's invention, and thus essentially render the invention of Roskind unnecessary, useless, and inoperative.

In addition, Applicants submit that Roskind is silent with respect to how any such user interface might be generated. In contrast, Applicants expressly disclose and claim "*said main widget including sub-widgets that are selectively generated only in response to user widget-selection input from a device user*" (emphasis added). Furthermore, Roskind discloses only two different user interface windows or widgets (see FIG. 2A and FIG. 2B). In contrast, Applicants expressly recite "*generating a main widget, a connect widget, and an alert widget as separate parts of said user interface.*" Applicants further claim "*said alert widget providing alert information for multiple different types of alert states, said user interface application dynamically displaying said alert widget upon a portion of said display for viewing corresponding alert messages relating to status changes or other events in any of said electronic device, one or more buddy devices, a network server device, and said electronic network*" (emphasis added).

The Examiner cites column 1, lines 39-42, of Roskind against Applicants' "alert widget." Applicants respectfully traverse. Column 1, lines 39-42, of Roskind is limited only to sending a preset return message when a user is "away." Applicants submit that Roskind nowhere teaches a separate "alert widget" that provides notifications regarding "multiple different types of alert states," as claimed by Applicants.

On page 4 of the Office Action the Examiner concedes that Roskind “does not explicitly teach wherein the different widgets are displayed on different discrete portions of said display” Applicants concur. The Examiner then points to Cohen to remedy these deficiencies in Roskind. Applicants traverse. Cohen teaches a graphical user interface for working on legal matters. However, Cohen explicitly depicts the GUI with overlapping windows (see FIGS. 2 and 3). Applicants therefore submit that Cohen fails to teach displaying a display widgets “on different discrete portions of said display,” as claimed by Applicants. Applicants have herein amended claims 1, 41, and 42 to recite “in a non-overlapped manner,” to hopefully clarify these limitations.

On page 5 of the Office Action, the Examiner points to Becker as support for the rejections of selectively generating subwidgets. Applicants respectfully traverse. Becker is limited to teaching the use of tabs only for switching between different messaging buddies (see FIG. 1). Becker nowhere teaches utilizing different tabs to compactly nest different functionalities in a “main widget,” as claimed by Applicants.

The Examiner cites Becker as support for the rejections of Applicants’ various claimed tabs and their respective accompanying widgets. Applicants respectfully submit that utilizing tabs in user interfaces has likely been known in the corresponding art for some time. Applicants therefore submit that their unique solution of utilizing a “*main widget*” to efficiently perform their claimed “*network communications procedure*” indicates the clear existence of secondary indicia of non-obviousness. For example, there apparently has been a long-felt

need for Applicants' solution in the relevant technological field. Furthermore, other entities and individuals in analogous arts have apparently failed to successfully overcome the foregoing problems in the manner disclosed by Applicants.

With further regard to the rejection of independent claim 43, Applicants submit that the cited references fail to teach or suggest the specific limitations from claim 43 regarding “*said main widget having a series of main tabs that said device user utilizes to temporarily display corresponding respective main interfaces, said main tabs including a presence tab for displaying online and offline presence interfaces, a MEET tab for displaying a MEET interface, a buddy tab for displaying a MEET interface, a content tab for displaying online and offline content interfaces, and an info tab for displaying an info interface, said main interfaces being concealed when corresponding ones of said main tabs are not activated by said device user” (emphasis added), as claimed by Applicants. For all of the foregoing reasons, Applicants submit that claims 1, 21, and 41-43 are not anticipated by the teachings of Roskind.*

Regarding the Examiner's rejection of dependent claims 2-4, 6-15, 17-20, 22-4, 26-35, 37-40, and 44-45, for at least the reasons that these claims are dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and allowance of dependent claims

2-4, 6-15, 17-20, 22-4, 26-35, 37-40, and 44-45, so that these claims may issue in a timely manner.

With further regard to claims 3 and 23, the Examiner states that “Roskind teaches all the different the functions” of the various claimed tabs from Applicants’ “*main widget*.” Applicants traverse, and submit that Roskind fails to teach the disclosed and claimed functions of their “main widget.” For example, Roskind fails to disclose explicit details regarding “an info tab” for generating information requests to other users. Furthermore, neither Roskind, Cohen, nor Becker nowhere teach “said main widget includes a presence tab, a MEET tab, a buddy tab, a content tab, an info tab, and a main window area.”

Regarding the rejections of claims 7-8 and 27-28, the Examiner cites certain passages of Roskind in support of these rejections. Applicants submit that the cited passages of Roskind fail to teach any sort of specific techniques for “*editing said shareable content information*” or for “*viewing a list of previously-defined shareable content information*,” as disclosed and claimed by Applicants. Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejections of claims 7-8 and 27-28.

Regarding the rejections of claims 9-10 and 29-30, the Examiner cites certain passages of Roskind in support of these rejections. Applicants submit that the cited passages of Roskind fail to teach any sort of “*request for profile information*” and related specific types of profile information, as disclosed and claimed by Applicants. Applicants therefore request reconsideration of the rejections of claims 9-10 and 29-30.

Furthermore, on page 21, the Examiner states that “[a]t the Applicant’s request, a reference (definition of user profile . . .) has been . . . cited on PTO Form 892 for the Applicant’s review.” After review of the cited searchsecurity.com document, Applicants submit that the only reference to a user profile is for “user-specific data that define the user’s working environment.” Applicants submit that their claimed “profile information” is not limited to information about a user’s computer setup, but rather includes personal information about the actual user, as specifically recited in claims 10 and 30.

Therefore, as previously stated with regard to the rejections of claims 10 and 30, without providing any adequate references as support, the Examiner states that “[i]t is reasonable and well known that a profile can consist of any information that would be pertinent to the system at hand. It appears that the Examiner is utilizing Official Notice without expressly stating so. Applicants submit that the particular combination of claimed limitations would not be obvious to one skilled in the art at the time of the invention.” Applicants further submit that the Examiner has improperly utilized Official Notice because the cited limitations are uniquely utilized by the Applicants to produce novel combinations that are not well-known or predictable. Applicants therefore respectfully request the Examiner to cite specific references in support of these rejections, and failing to do so, to reconsider and withdraw the rejections of claims 10 and 30 so that the present Application may issue in a timely manner.

With further regard to the rejection of claim 12, the Examiner cites Figure 2A of Roskind in support of this rejection. Applicants submit that Figure 2A of

Roskind nowhere teaches “*said buddy information includes a buddy group name, an on-line/off-line status icon, a buddy screen name, a buddy resource name, and a listing of network services available for performing network service sharing procedures over said electronic network*” as disclosed and claimed by Applicants.

In particular, Applicants submit that the “IM, Chat, Write” buttons cited by the Examiner from FIG. 2A of Roskind are not the same as Applicants’ “listing of network service” because the cited buttons are simple function icons, and are not a “listing” corresponding to individual buddies. The cited buttons are therefore not “buddy information.” Furthermore, Applicants submit that the “Co-Workers” cited by the Examiner from FIG. 2A is not a “buddy resource name,” as recited by Applicants.

Regarding the rejections of claims 18-19 and 38-39, the Examiner cites certain passages of Roskind in support of these rejections. Applicants submit that the cited passages of Roskind fail to teach any sort of “alert widget” with the specific detailed functionalities that are expressly disclosed and claimed by Applicants. In particular, Applicants submit that Roskind fails to teach “*said alert messages including any of an error message, a subscription request for a buddy list, an invitation for sharing content information, a single message in a single message mode, and retrieved profile information,*” or “*said alert widget functions in a notification mode in which no response is required from a device user, said alert widget alternately functioning in a decision mode in which a decision is required by said device user to approve or disapprove a particular one of said alert messages.*”

For at least the foregoing reasons, the Applicants submit that claims 1-4, 6-15, 17-24, 26-35, and 37-45 are not unpatentable under 35 U.S.C. §103 over the cited references, and that the rejections under 35 U.S.C. §103 are thus improper. The Applicants therefore respectfully request reconsideration and withdrawal of the rejections of claims 1-4, 6-15, 17-24, 26-35, and 37-45 under 35 U.S.C. §103.

On page 13 of the Office Action, the Examiner rejects claims 5 and 25 under 35 U.S.C. § 103 as being unpatentable over Roskind, Cohen, and Becker in view of U.S. Patent No. 7,084,754 to Benejam et al. (hereafter Benejam). The Applicants respectfully traverse these rejections for at least the following reasons.

Applicants maintain that the Examiner has failed to make a *prima facie* case of obviousness under 35 U.S.C. § 103(a). As discussed above, for a valid *prima facie* case of obviousness under 35 U.S.C. § 103(a), the prior art references when combined should teach all the claim limitations." The initial burden is on the Examiner to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a).

Regarding the Examiner's rejection of dependent claims 5 and 25, for at least the reasons that these claims are dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and

allowance of dependent claims 5 and 25 so that these claims may issue in a timely manner.

With further regard to the rejections of claims 5 and 25, the Examiner cites column 3, lines 13-27, of Benejam against Applicants' claimed "presence attributes." Applicants traverse. Applicants submit that Benejam is not validly cited as "prior art" because Benejam has a filing date of April 15, 2004, while Applicants' earlier filing date is August 11, 2003. Because of this apparent error, Applicants request the Examiner to issue a new non-final Office Action with a validly-cited reference in place of Benejam, so that Applicants may adequately review and respond to the replacement reference.

For at least the foregoing reasons, the Applicants submit that claims 5 and 25 are not unpatentable under 35 U.S.C. § 103 over the cited references, and that the rejections under 35 U.S.C. § 103 are thus improper. The Applicants therefore respectfully request reconsideration and withdrawal of the rejections of claims 5 and 25 under 35 U.S.C. § 103.

On page 14 of the Office Action, the Examiner rejects claims 16 and 36 under 35 U.S.C. § 103 as being unpatentable over Roskind, Cohen, and Becker in view of U.S. Patent No. 7,127,685 to Canfield et al. (hereafter Canfield). The Applicants respectfully traverse these rejections for at least the following reasons.

Applicants maintain that the Examiner has failed to make a *prima facie* case of obviousness under 35 U.S.C. § 103(a). As discussed above, for a valid *prima facie* case of obviousness under 35 U.S.C. § 103(a), the prior

art references when combined should teach all the claim limitations." The initial burden is on the Examiner to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a).

Regarding the Examiner's rejection of dependent claims 16 and 36, for at least the reasons that these claims are dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and allowance of dependent claims 16 and 36 so that these claims may issue in a timely manner.

For at least the foregoing reasons, the Applicants submit that claims 16 and 36 are not unpatentable under 35 U.S.C. § 103 over the cited references, and that the rejections under 35 U.S.C. § 103 are thus improper. The Applicants therefore respectfully request reconsideration and withdrawal of the rejections of claims 16 and 36 under 35 U.S.C. § 103.

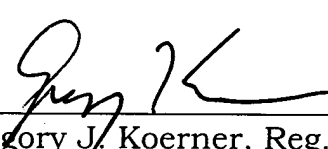
Summary

Applicants submit that the foregoing amendments and remarks overcome the Examiner's rejections. Because the cited references, and the Examiner's citations thereto, do not teach or suggest the claimed invention, and in light of the differences between the claimed invention and the cited prior art, Applicants therefore submit that the claimed invention is patentable over the cited art, and respectfully request the Examiner to allow claims 1-45 so that the present Application may issue in a timely manner. If there are any questions concerning this Response, the Examiner is invited to contact the Applicants' undersigned representative at the number provided below.

Respectfully submitted,

Date: 2/18/09

By: _____


Gregory J. Koerner, Reg. No. 38,519
Redwood Patent Law
1291 East Hillsdale Blvd., Suite 205
Foster City, CA 94404
Tel: (650) 358-4000